

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jon N. Swanson
Serial No.: 10/730,510
Conf. No.: 2343
Filed: December 8, 2003
For: PRIMARY DATA STREAM
COMMUNICATION
Art Unit: 2614
Examiner: Elahee, MD S.

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

May 26, 2009

Date

Registration No. 40,607
Attorney for Applicant(s)

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Patent owner hereby appeals to the Board from the decision of the Primary Examiner mailed February 24, 2009, finally rejecting Claims 1, 3-13 and 15-23, in the above referenced application. The filing fee for the Notice of Appeal of \$270.00 is paid by check attached hereto.

The Commissioner is hereby authorized to charge any additional fees that may be required for this Notice to keep the Application pending, or to credit any overpayment, to Deposit Account No. 07-2069.

Respectfully submitted,

Customer No. 24978

May 26, 2009
300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Telephone: (312) 360-0080
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GREER, BURNS & CRAIN, LTD.

By

Thomas R. Fitzsimons
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